



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Approve Minutes
a) September 19, 2007 (Regular Meeting)
b) October 2, 2007 (Shirtsleeve Session)
c) October 3, 2007 (Regular Meeting)
d) October 9, 2007 (Shirtsleeve Session)

MEETING DATE: October 17, 2007

PREPARED BY: City Clerk

RECOMMENDED ACTION: Approve the following minutes as prepared:
a) September 19, 2007 (Regular Meeting)
b) October 2, 2007 (Shirtsleeve Session)
c) October 3, 2007 (Regular Meeting)
d) October 9, 2007 (Shirtsleeve Session)

BACKGROUND INFORMATION: Attached are copies of the subject minutes, marked Exhibits A through D.

FISCAL IMPACT: None.

FUNDING AVAILABLE: None required.

Randi Johl
City Clerk

RJ/JMP

Attachments

APPROVED: _____
Blair King, City Manager

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, SEPTEMBER 19, 2007**

C-1 CALL TO ORDER / ROLL CALL

The City Council Closed Session meeting of September 19, 2007, was called to order by Mayor Johnson at 6:30 p.m.

Present: Council Members – Hansen, Hitchcock, Katzakian [excluding C-2(a)], Mounce, and Mayor Johnson

Absent: Council Members – None

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

C-2 ANNOUNCEMENT OF CLOSED SESSION

a) Actual Litigation: Government Code §54956.9(a); One Case; Hartford Accident and Indemnity Company, et al. v. City of Lodi, et al., Superior Court, County of San Francisco, Case No. 323658

b) Actual Litigation: Government Code §54956.9(a); One Case; Richard Romero, a Minor, By and Through His Guardian as Litem, Susie Romero v. City of Lodi, San Joaquin County Superior Court, Stockton Branch, Case No. CV027014

C-3 ADJOURN TO CLOSED SESSION

At 6:30 p.m., Mayor Johnson adjourned the meeting to a Closed Session to discuss the above matters.

The Closed Session adjourned at 6:45 p.m.

C-4 RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

At 7:00 p.m., Mayor Johnson reconvened the City Council meeting, and City Attorney Schwabauer disclosed the following actions.

In regard to Item C-2 (a), settlement discussion was had and direction was given.

Item C-2 (b) was not discussed.

A. CALL TO ORDER / ROLL CALL

The Regular City Council meeting of September 19, 2007, was called to order by Mayor Johnson at 7:00 p.m.

Present: Council Members – Hansen, Hitchcock, Katzakian, Mounce, and Mayor Johnson

Absent: Council Members – None

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

B. INVOCATION

The invocation was given by Pastor Glen Barnes, First Baptist Church.

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Girl Scout Troop 528.

D. AWARDS / PROCLAMATIONS / PRESENTATIONS

D-1 Awards – None

D-2 Proclamations – None

D-3 (a) Following introductory comments by Recreation Supervisor Tom Alexander, Mayor Johnson presented a Certificate of Recognition to representatives of the Girls Extreme 16 & Under Softball Team in acknowledgment of their accomplishments in the Babe Ruth World Series, recently held in Eagle Pass, Texas, in finishing third for the second year in a row. Individual accomplishments were as follows:

- All World Series Team Tori Shepard (who also set a new World Series strikeout record with 89, breaking the previous record of 58)
- Home Run Contest Winner Allie Mendez
- All Defensive Team Brooke Ortiz, Second Base
 Jordynn Elwood, Outfield

D-3 (b) Mayor Johnson presented a Certificate of Recognition to Sarah Heberle and Girl Scout Troop 528 in celebration of the 95th Anniversary of Girl Scouts.

E. CONSENT CALENDAR

In accordance with the report and recommendation of the City Manager, Council, on motion of Mayor Johnson, Mounce second, unanimously approved the following items hereinafter set forth **except those otherwise noted:**

- E-1 Claims were approved in the amount of \$7,378,125.22.
- E-2 The minutes of September 4, 2007 (Shirtsleeve Session), September 5, 2007 (Regular Meeting), and September 11, 2007 (Special Joint Shirtsleeve Session w/Lodi Improvement Committee) were approved as written.
- E-3 "Approve Request for Proposals and Authorize Advertisement for Bids for Carnegie Forum Sound System Replacement Project" was **removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.**
- E-4 Approved the specifications and authorized advertisement for bids for Lane Line Striping for Various City Streets 2007.
- E-5 Adopted Resolution No. 2007-185 approving the lease amendment for 300 West Pine Street.
- E-6 Adopted Resolution No. 2007-186 approving the application for tire-derived product grant from California Integrated Waste Management Board and authorizing the City Manager to execute grant agreements.
- E-7 Adopted Resolution No. 2007-187 approving renewal of revised maintenance of State Highway 12 agreement with the State of California Department of Transportation for fiscal year 2007-08 in the amount of \$11,408 and authorizing the City Manager to execute subsequent agreements.
- E-8 Adopted Resolution No. 2007-188 authorizing the City Manager to file a revised claim for the 2006-07 Transportation Development Act (TDA) funds in the amount of \$3,536,183 from the Local Transportation Fund (LTF) and \$38,244 from State Transit Assistance (STA) and adopted Resolution No. 2007-189 authorizing the City Manager to file a claim for the 2007-08 TDA funds in the amount of \$3,281,562 from the LTF and \$11,206 from STA.
- E-9 "Adopt Resolution Appropriating Funds and Authorizing the City Manager to Enter into a Contract with Rad Bartlam to Provide General Plan Project Management Services (Total Cost \$78,400 for Two Years)" was **removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.**

- E-10 Set public hearing for October 3, 2007, for Lodi Memorial Hospital regarding issuance of tax-exempt obligations and approval of the California Statewide Community Development Authority's issuance of indebtedness to construct a new Lodi Memorial Hospital project.
-

ACTION ON ITEMS REMOVED FROM THE CONSENT CALENDAR

- E-3 "Approve Request for Proposals and Authorize Advertisement for Bids for Carnegie Forum Sound System Replacement Project"

This item was pulled by Mayor Johnson for further discussion.

Mayor Johnson expressed his concerns regarding audio quality for televised and rebroadcast City Council meetings.

Mayor Pro Tempore Mounce suggested staff review remote Council meeting participation abilities.

City Manager King stated the proposed action is to solicit bids, the condition of the sound system is generally poor which was pointed out during a recent upgrade of other equipment, the anticipated cost is approximately \$30,000, and the contractor can likely add certain specific improvements that the City Council desires as individual components of the proposal.

In response to Council Member Hitchcock, Deputy City Manager Krueger stated the funds will likely come from the equipment replacement account.

MOTION / VOTE:

The City Council, on motion of Mayor Johnson, Mounce second, unanimously approved the request for proposals and authorized advertisement for bids for Carnegie Forum Sound System Replacement Project.

- E-9 "Adopt Resolution Appropriating Funds and Authorizing the City Manager to Enter into a Contract with Rad Bartlam to Provide General Plan Project Management Services (Total Cost \$78,400 for Two Years)"

City Manager King pulled this item for further discussion.

City Manager King provided an overview of the proposed agreement for consultant services pertaining to the management of the General Plan process. Specific topics of discussion included, but were not limited to, General Plan expense, the desire to complete the General Plan on time and under budget, expanding timeline of consultants, community outreach concerns, stakeholder surveys and interviews, the necessity for General Plan amendments every 10 to 15 years, alternatives, costs associated with various alternatives, additional staffing possibilities, timing, similar services being provided to other agencies, and staff's recommendation regarding the same.

In response to Mayor Pro Tempore Mounce, Mr. King stated Mr. Bartlam will review, analyze, and provide comments to drafts in a timely manner while complying with noticing requirements and staying engaged in the process.

Council Member Hitchcock suggested that the individual monitoring the General Plan should be a City staff member. Mr. King stated he sees the project is slipping off the timeline, it is not uncommon to use a project manager, and part-time staff may be used to supplement the department so that the Director can have more time to focus on this project.

In response to Council Member Hansen, Mr. King stated the goal is still to finish by November 2008 and there is a better chance of accomplishing that goal with a General Plan manager.

In response to Mayor Pro Tempore Mounce, Mr. King stated that, pursuant to the termination clause in the agreement, the consultant may be terminated at any time.

MOTION / VOTE:

The City Council, on motion of Council Member Hansen, Katzakian second, adopted Resolution No. 2007-190 appropriating funds and authorizing the City Manager to enter into a contract with Rad Bartlam to provide General Plan project management services for a total cost \$78,400 for two years. The motion carried by the following vote:

Ayes: Council Members – Hansen, Katzakian, Mounce, and Mayor Johnson

Noes: Council Members – Hitchcock

Absent: Council Members – None

F. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- Barbara Flockhart spoke on her concerns regarding various funds expended by the City Council on items including, but not limited to, wastewater treatment facility, consultants, refinancing, and redevelopment.

G. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

- Mayor Pro Tempore Mounce suggested staff look into the request made by Kenneth Chase and the mural on Cherokee Lane and Victor Road.
- Council Member Hansen mentioned there was graffiti near the mural, requested an update on the mobile food vendor efforts, reported on his attendance at the San Joaquin Council of Governments meeting specifically pertaining to obtaining a seat on the Rail Commission, and requested a formal presentation at a regular Council meeting of the environmental litigation when appropriate to do so.
- Mayor Johnson thanked Council Members Hitchcock and Hansen for their efforts with the environmental litigation and suggested references to mandates imposed by the State legislature be listed when items are brought forth.

H. COMMENTS BY THE CITY MANAGER ON NON-AGENDA ITEMS

- City Manager King reported on future improvements on Lodi Avenue, a community workshop to be held on Tuesday, November 6, 2007, the status of the sound system in the Grape Bowl, refinancing efforts which will result in a savings of approximately \$1.5 million, and the cost of issuance which will be put out again for clarification purposes.

I. PUBLIC HEARINGS

- I-1 Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Johnson called for the public hearing to consider adopting a resolution approving the Lodi Solar Rebate Program to become effective January 1, 2008.

City Manager King provided a brief introduction of the subject matter.

Rob Lechner, Manager of Customer Services and Programs, provided a PowerPoint presentation regarding the solar rebate program. Specific topics of discussion included state mandates through Senate Bill 1, overview of the bill, highlights of the Solar Rebate Pilot Project, fast facts about solar systems, the next steps in implementing the program, solar initiative surcharge, funding options, and recommendations regarding the same.

In response to Council Member Hansen, Mr. Lechner stated the California Energy Commission is still working on the actual effective date and discussing grandfathering options.

In response to Council Member Hansen, Mr. Lechner stated how the funds are divided is not mandated as the City Council may divide as deemed appropriate.

In response to Council Member Hansen, Electric Utility Director George Morrow confirmed that the surcharge may be divided by the same portion.

In response to Council Member Hitchcock, Mr. Morrow stated the 75% and 25% figures were based on energy sales from both commercial/industrial and residential uses and can be adjusted later if the 25% is limiting.

In response to Council Member Hitchcock, Mr. Morrow stated the 25% represents the percentage of electric utility revenue received from residential customers. Mr. Morrow stated that the pilot was successful, but he is unsure of how many residents will take advantage of the actual program.

In response to Mayor Pro Tempore Mounce, Mr. Lechner stated currently nine residential customers have solar systems that they are aware of.

Hearing Opened to the Public

None.

Public Portion of Hearing Closed

MOTION / VOTE:

The City Council, on motion of Council Member Hitchcock, Mounce second, unanimously adopted Resolution No. 2007-191 approving the Lodi Solar Rebate Program to become effective January 1, 2008.

- I-2 Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Johnson called for the public hearing to consider introducing an ordinance amending Chapter 13.20, "Electrical Service," by adding new Schedule CSS (California Solar Initiative Surcharge) to become effective December 1, 2007.

In response to Council Member Hansen, Electric Utility Director George Morrow stated, at the end of the 2008 year, they hope to know the cost of allocations, interest and demand, surcharge specifics, and additional information from the State.

In response to Council Member Hansen, Mr. Morrow and Rob Lechner, Manager of Customer Services and Programs, stated there are currently two commercial solar users and there may be some businesses that may use the entire \$375,000 in the first year and lock it up for the five-year period.

In response to Council Member Hitchcock, Mr. Morrow stated they cannot use the public benefit program because it is currently not being used for this purpose.

Mayor Pro Tempore Mounce suggested the Council wait to see how the first year goes and then discuss a surcharge as necessary thereafter.

City Manager King provided an overview of the reserve policy, the need to preserve funds, Leadership in Energy and Environmental Design certification and its application to solar, existing and future business interests in solar programs, and State mandates.

In response to Council Member Katzakian, Mr. Morrow stated we can come back annually and adjust as necessary, but we are required to provide \$6 million over ten years.

Discussion ensued between Council Member Hansen, Council Member Hitchcock, and Mr. Morrow regarding a pay-as-you-go process and balancing the need while planning ahead.

In response to Council Member Katzakian, Mr. Morrow confirmed that the .81 cents cannot be reduced; only increased.

In response to Mayor Johnson, Mr. Morrow confirmed that we do not need to wait annually for an adjustment as it can be done when necessary.

Further discussion ensued between Council Member Hansen, Council Member Hitchcock, and Mr. Morrow regarding the pay-as-you-go option for the first year.

Hearing Opened to the Public

- Richard Brown spoke of his concerns regarding increases and suggested the Electric Utility design a system similar to that of PG&E to eliminate Tier 4 and 5 surcharges while reviewing the other tiers and assessing the surcharges accordingly based on usage.

Public Portion of Hearing Closed

MOTION / VOTE:

The City Council, on motion of Council Member Hitchcock, Johnson second, introduced Ordinance No. 1802 amending Lodi Municipal Code Title 13 – Public Services – by adding Section 13.20.185, “Section CSS – California Solar Initiative Surcharge.” The motion carried by the following vote:

Ayes: Council Members – Hitchcock, Katzakian, and Mayor Johnson

Noes: Council Members – Hansen and Mounce

Absent: Council Members – None

RECESS

At 8:50 p.m., Mayor Johnson called for a recess, and the City Council meeting reconvened at 8:58 p.m.

I. PUBLIC HEARINGS (Continued)

- I-3 Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Johnson called for the public hearing to consider unmet transit needs in Lodi.

Transportation Manager Tiffani Fink provided a brief presentation regarding the requirement to conduct a public hearing for unmet transportation needs and the process associated with the same.

In response to Council Member Hansen, Ms. Fink stated that the current bus brochure includes the time stops and working with GIS may provide the ability to provide more bus stop listings on future brochures.

In response to Council Member Hitchcock, Ms. Fink stated since last year no additional routes were added, the east side bus route was revised to address student needs, and they are continuing to work on the short range transit plan to address ongoing needs.

Council Member Hansen suggested staff look into the voucher program to ensure the school district is paying its share. Ms. Fink stated Measure K provides approximately 75% of the funding for the bus routes.

In response to Mayor Pro Tempore Mounce, Ms. Fink stated the E-map process mandated a shelter location at Lodi Avenue as a pedestrian amenity and they are looking at putting a bus stop at that location as well.

Hearing Opened to the Public

None.

Public Portion of Hearing Closed

MOTION / VOTE:

There was no Council action taken on this matter.

J. COMMUNICATIONS

J-1 Claims Filed Against the City of Lodi – None

J-2 The following postings/appointments were made:

- a) The City Council, on motion of Council Member Hitchcock, Johnson second, unanimously directed the City Clerk to post for the following vacancy:

Library Board of Trustees

Paula Albertson Term to expire June 30, 2009

J-3 Miscellaneous

- a) The City Council, on motion of Council Member Hitchcock, Johnson second, unanimously accepted the cumulative Monthly Protocol Account Report through August 31, 2007.

K. REGULAR CALENDAR

K-1 "Receive Presentation and Provide Comment upon the ACE Service Expansion Study Central Valley Corridor, Merced-Stockton-Sacramento Preliminary Analysis"

Stacy Mortenson and Phil Pennino provided a brief history of the efforts associated with the potential service through the Central Valley Corridor. Specific topics of discussion included smart growth principles, commuter service within the Central Valley, access to existing rail lines, map possibilities, challenges and opportunities, educational systems, advisory committee, level of commuter service, next steps, and stakeholder participation.

In response to Council Member Hansen, Ms. Mortenson stated there are approximately 250 passengers on the Central Valley Amtrak route each way per day and they are working with the Commission to address some of the challenges associated with matching up the schedule for morning commute.

City Manager King stated he would like to make it clear that the City's expectation is that the commuter rail will go through Lodi and not to the west of the City. Mr. Pennino stated the City will be asked to take a position in the near future to assist with lobbying efforts.

MOTION/ VOTE:

There was no Council action taken on this matter.

- K-2 "Adopt Resolution Authorizing Execution of Agreement for Layoff and Sale Relating to Combustion Turbine Project Number One"

Electric Utility Director George Morrow provided an overview of the Roseville CT1 sale and specific topics of discussion included background, objectives, Phase 1 layoff, Phase 2 equity sale, compensation, and benefits and costs.

In response to Council Member Hitchcock, Mr. Morrow stated the \$2.3 million amount can change depending on the amount of capital spent and the debt service payments.

In response to Council Member Hansen, Mr. Morrow stated the debt service will be paid in three years; \$1.7 million for this year and \$2.3 million for the next two.

City Manager King stated he would like to commend Mr. Morrow on his efforts in regard to the sale.

MOTION / VOTE:

The City Council, on motion of Council Member Hansen, Mounce second, unanimously adopted Resolution No. 2007-192 authorizing execution of agreement for layoff and sale relating to Combustion Turbine Project Number One.

- K-3 "Adopt Resolution Approving the Work Plan for the Combination of the Parks and Recreation Department and Hutchins Street Square Community Center"

City Manager King provided a brief introduction of the subject matter.

Community Center Director Jim Rodems provided an overview of the schedule as listed on the matrix and reviewed the anticipated work plan associated with the same.

In response to Council Member Hitchcock, Mr. Rodems stated the timing is ambitious, but the groundwork is already laid and they need to work with the plan in conjunction with the timing associated with developing the budget for the next fiscal year.

In response to Mayor Johnson, Mr. King stated actual implementation will require additional time.

MOTION / VOTE:

The City Council, on motion of Mayor Johnson, Hansen second, unanimously adopted Resolution No. 2007-193 approving the Work Plan for the combination of the Parks and Recreation Department and Hutchins Street Square Community Center.

- K-4 "Update on the San Joaquin Local Agency Formation Commission Draft Policies and Procedures"

City Manager King provided a brief introduction of the subject matter.

Community Development Director Randy Hatch provided an overview of the status of the August 17, 2007, meeting, the letter requesting additional information, acceptance of comments, continuance of the public hearing to September 21, 2007, without additional action being taken, community separators and State law application, and a possible preservation plan.

In response to Council Member Hansen, Mr. Hatch stated the Local Agency Formation Commission (LAFCO) eventually would like to get to the policy concept of a sphere of influence for the entire general plan area for 20 years down the road.

Council Member Hansen suggested a Council Member attend the upcoming meeting.

In response to Council Member Hitchcock, Mr. Hatch stated some cities are supportive of the draft policy language because they see separators as holding back growth.

Discussion ensued between Council Member Hitchcock, Mr. Hatch, and Mr. King regarding obtaining land as a growth control measure, an example in the city of Tracy, waivers, and the intensity level of ongoing and future development.

In response to Mayor Johnson, Mr. Hatch stated the current LAFCO members are Mow, Machado, Chavez, Haskin, and Ruhstaller, along with a few alternate members.

MOTION / VOTE:

There was no Council action taken on this matter.

- K-5 “Introduce Ordinance Amending Lodi Municipal Code Title 13 – Public Services – Chapter 13.12, “Sewer Service,” by Repealing and Reenacting Section 13.12.150 Relating to Connections Outside City”

City Attorney Schwabauer provided an overview of the history associated with providing services to Flag City, stating the proposed ordinance adds an exception for publicly operated wastewater treatment districts.

In response to Council Member Hitchcock, Mr. Schwabauer stated when there is a hook up to the system, there is a payment of a wastewater impact fee and an engineering study will more precisely determine what that fee should be.

In response to Council Member Hitchcock, Mr. King stated the \$6 million figure is a working number for services excluding pretreatment.

In response to Council Member Hitchcock, Mr. King stated the \$6 million figure will partially go to funding rate stabilization.

In response to Council Member Hitchcock, Mr. Schwabauer stated that, while the ordinance itself cannot control land use application and sprawl, the practical application of the language of the ordinance makes it difficult to provide services to other areas aside from the Area 31 CSA without the construction of an additional facility at a high cost.

In response to Council Member Hitchcock, Mr. Schwabauer stated that, although there may be a perception of automatic connection, the City Council has control over whether to allow winery connections by contract in that they review every request.

MOTION / VOTE:

The City Council, on motion of Council Member Hansen, Johnson second, introduced Ordinance No. 1803 amending Lodi Municipal Code Title 13 – Public Services – Chapter 13.12, “Sewer Service,” by repealing and reenacting Section 13.12.150 relating to connections outside the City. The motion carried by the following vote:

Ayes: Council Members – Hansen, Katzakian, Mounce, and Mayor Johnson

Noes: Council Members – Hitchcock

Absent: Council Members – None

- K-6 “Approve Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$11,552.96)”

MOTION / VOTE:

The City Council, on motion of Mayor Pro Tempore Mounce, Johnson second, unanimously approved expenses incurred by outside counsel/consultants relative to the Environmental Abatement Program litigation and various other cases being handled by outside counsel in the amount of \$11,552.96, as detailed below:

Folger Levin & Kahn - Invoices Distribution

Invoice No.	Date	Description	Water Acct. Amount
7207	7/31/07	West Environmental Services (Krasnoff)	\$ 5,166.73
		GeoTrans, Inc. (Jim Mercer)	\$ 196.00
Total			\$ 5,362.73

Kronick Moskovitz Tiedemann & Girard - Invoices Distribution

Matter No.	Invoice No.	Date	Description	100351.7323
11233.026	234371	08/25/07	Lodi First v. City of Lodi	\$ 18.00
11233.027	234371	08/25/07	Citizens for Open Government	\$ 955.45
11233.029	234371	08/25/07	AT&T v. City of Lodi	\$ 646.85
Total				\$ 1,620.30

MISCELLANEOUS

Invoice No.	Date	Description	Water Acct. Amount
877001	8/27/2007	Harry A. Cannon, Inc.	\$ 1,879.83
1339870-100	8/28/2007	JAMS Mediation Services	\$ 2,690.10
Total			\$ 4,569.93

L. ORDINANCES

- L-1 Following reading of the title of Ordinance No. 1801 entitled, "An Ordinance of the Lodi City Council Amending Chapter 13.20, 'Electrical Service,' by Repealing and Reenacting Section 13.20.210, 'Schedule EM,' Relating to Mobile Home Park Service Rates," having been introduced at a regular meeting of the Lodi City Council held September 5, 2007, the City Council, on motion of Mayor Pro Tempore Mounce, Hansen second, waived reading of the ordinance in full and adopted and ordered it to print by the following vote:

Ayes: Council Members – Hansen, Hitchcock, Katzakian, Mounce, and
Mayor Johnson
Noes: Council Members – None
Absent: Council Members – None
Abstain: Council Members – None

M. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 10:58 p.m.

ATTEST:

Randi Johl
City Clerk

**CITY OF LODI
INFORMAL INFORMATIONAL MEETING
"SHIRTSLEEVE" SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, OCTOBER 2, 2007**

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, October 2, 2007, commencing at 7:01 a.m.

A. ROLL CALL

Present: Council Members – Hitchcock, Katzakian, and Mayor Johnson
Absent: Council Members – Hansen and Mounce
Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

B. TOPIC(S)

B-1 "Presentation of the City of Lodi Internet Website Policy"

City Manager King provided a brief introduction of the subject matter.

Communications Specialist Jeff Hood provided a PowerPoint presentation regarding the proposed website policy. Specific topics of discussion included current practices, lack of a formal policy, federal General Services Administration (GSA) registration, proposed link policy, alternatives to proposed policy, links to nonprofits, website as potential revenue source, and the future of the website.

In response to Council Member Hitchcock, Mr. Hood stated the likely reason for cities having multiple domain names is so that they can utilize all the basic domain names through which the public can locate and further access the City.

In response to Mayor Johnson, Mr. Hood stated many cities provide business links to provide information about their community. He stated the service is an enhancement of their websites with links to various businesses and organizations.

In response to Mayor Johnson, Mr. King stated the need to have any links is a part of the policy discussion. Mr. King also discussed the current and former process associated with providing links to the City's website, departmental input and review, reasonable exceptions, and the options for links to other organizations with ties to the City.

In response to Council Member Hitchcock, Mr. Hood stated the likely source for revising outdated information on the website will be the departments themselves.

In response to Mayor Johnson, City Attorney Schwabauer stated a disclaimer provides some legal protection, but he was unsure of its protection for GSA compliance purposes. He also stated that he prefers the ".gov" domain name with the email address tie in. Mr. Hood stated the GSA discourages advertising and commercial endorsements.

City Manager King provided an overview of the commercial business model for city websites and stated the model must be balanced carefully with the need of the citizens to do business over the Internet. He also stated the library, which is in the business of providing information, is not subject to the proposed policy due to the nature of its services, which will likely need to be reviewed separately as well.

In response to Council Member Hitchcock, Mr. Hood stated the links that provide links to other commercial businesses, such as Hutchins Street Square with links to various shows and performers, will likely be removed.

In response to Council Member Hitchcock, Mr. Hood confirmed that holders of various domain names that are similar to the City's domain name likely purchased those names to sell them at a later date.

In response to Mayor Johnson, Mr. Hood stated he does not believe that Stockton generates more than a few thousand dollars per year from its website advertising. He stated that, in talking to the individual who maintains the website, it is difficult to maintain and they face challenges with the location, length, and timing of the advertisements.

In response to Mayor Johnson, Mr. King stated an electronic complaint tracking system could be a great advantage tool for comment and complaint processing purposes and provided examples of how such a system could be used.

In response to Council Member Hitchcock, Mr. King stated the level of City communication could go up, the tone may be different, and the program would better manage existing complaints that are received by various departments.

In response to Myrna Wetzel, Mr. Hood stated the program would be similar to the UPS tracking system as far as checking status on a complaint.

In response to Mayor Johnson, Mr. Hood stated the electronic program will provide effective monitoring and tracking of complaints and provided an overview of the status check process of the program and the ability to have internal tracking and discussion.

City Manager King also discussed the ability to provide commonly used forms online and options available through a kiosk at City Hall.

In response to Mayor Johnson, Mr. King stated he is not sure if there is a need for a part-time person to oversee and manage the website. He stated the primary purpose for bringing forth the proposed policy is to create awareness of how the website is currently being used and to make it a more effective communication tool.

Discussion ensued between Council Member Hitchcock and Mayor Johnson regarding the need to allocate more resources to the Internet to make it more user-friendly for the public.

Council Member Hitchcock stated she preferred contact information be provided for individuals submitting comments and/or complaints electronically for follow-up purposes.

C. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None.

D. ADJOURNMENT

No action was taken by the City Council. The meeting was adjourned at 8:11 a.m.

ATTEST:

Randi Johl
City Clerk

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, OCTOBER 3, 2007**

C-1 CALL TO ORDER / ROLL CALL

The City Council Closed Session meeting of October 3, 2007, was called to order by Mayor Johnson at 6:00 p.m.

Present: Council Members – Hansen, Hitchcock, Katzakian [excluding C-2(a)], Mounce, and Mayor Johnson

Absent: Council Members – None

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

C-2 ANNOUNCEMENT OF CLOSED SESSION

- a) Actual Litigation: Government Code §54956.9(a); One Case; *People of the State of California; and the City of Lodi, California v. M & P Investments, et al.*, United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM
- b) Conference with Blair King, City Manager, Jim Krueger, Deputy City Manager, and Bill Avery (Acting Labor Negotiators), Regarding Lodi Police Officers Association Pursuant to Government Code §54957.6
- c) Conference with Blair King, City Manager, and Jim Krueger, Deputy City Manager (Acting Labor Negotiators), Regarding Maintenance and Operators Unit Pursuant to Government Code §54957.6

C-3 ADJOURN TO CLOSED SESSION

At 6:00 p.m., Mayor Johnson adjourned the meeting to a Closed Session to discuss the above matters.

The Closed Session adjourned at 7:09 p.m.

C-4 RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

At 7:11 p.m., Mayor Johnson reconvened the City Council meeting, and City Attorney Schwabauer disclosed the following actions.

In regard to Item C-2 (a), discussion was had and settlement direction was given.

In regard to Items C-2 (b) and C-2 (c), discussion was had and negotiating direction was given.

A. CALL TO ORDER / ROLL CALL

The Regular City Council meeting of October 3, 2007, was called to order by Mayor Johnson at 7:11 p.m.

Present: Council Members – Hansen, Hitchcock, Katzakian, Mounce, and Mayor Johnson

Absent: Council Members – None

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

B. INVOCATION

The invocation was given by Director Ken Owen, Christian Community Concerns.

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Johnson.

D. AWARDS / PROCLAMATIONS / PRESENTATIONS

D-1 Awards – None

D-2 (a) Mayor Johnson presented a proclamation to Paula Grech, representing the San Joaquin County Women's Center – Lodi Office, proclaiming the month of October 2007 as "Domestic Violence Awareness Month" in the City of Lodi.

D-3 (a) Joe Price and Amanda Stevens with the Greater Lodi Area Youth Commission provided an update on the activities and accomplishments of the Commission.

E. CONSENT CALENDAR

In accordance with the report and recommendation of the City Manager, Council, on motion of Mayor Pro Tempore Mounce, Hitchcock second, unanimously approved the following items hereinafter set forth **except those otherwise noted**:

E-1 Claims were approved in the amount of \$2,292,791.05.

E-2 The minutes of September 18, 2007 (Shirtsleeve Session) and September 25, 2007 (Shirtsleeve Session) were approved as written.

E-3 Received quarterly report of purchases between \$5,000 and \$20,000.

E-4 Approved the plans and specifications and authorized advertisement for bids for Lodi Library Lighting Retrofit Project.

E-5 Authorized advertisement for bids for 25,000 feet of 1100 kcmil 15kV underground cable and 14 units of Lodi-48 primary vaults with covers.

E-6 Adopted Resolution No. 2007-194 awarding the purchase of padmounted liquid insulated vacuum switchgear and load/fault interrupters to Trayer Engineering Corporation, of San Francisco, CA, in the amount of \$105,776.42.

E-7 "Adopt Resolution Awarding Brokerage Services to Sell Surplus City-Owned Real Estate Properties to Coldwell Banker Commercial, the Duncan Company, Inc., of Woodbridge, CA" was **removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.**

E-8 Approved Change Orders for the repair of two power transformers at Industrial Substation in the amount of \$27,431.

E-9 "Adopt Resolution Approving Improvement Deferral Agreement for 975 South Fairmont Avenue" was **removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.**

E-10 "Status of San Joaquin County Consideration of an Armstrong Road Agricultural/Cluster Zoning Classification" was **removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.**

E-11 Set public hearing for October 17, 2007, to consider adoption of the 2007 California Building Code, Mechanical Code, Electrical Code, Plumbing Code, and Fire Code with local amendments and revise Building Permit Fee Schedule 1A, along with fee increases for building, mechanical, plumbing, and electrical permits.

ACTION ON ITEMS REMOVED FROM THE CONSENT CALENDAR

- E-7 "Adopt Resolution Awarding Brokerage Services to Sell Surplus City-Owned Real Estate Properties to Coldwell Banker Commercial, the Duncan Company, Inc., of Woodbridge, CA"

Mayor Johnson pulled this item for further discussion.

Mayor Johnson stated he would abstain from the matter and left the dais and room.

In response to Council Member Hitchcock, City Attorney Schwabauer confirmed there is no legal conflict of interest. He stated Mr. Johnson was never employed by the subject company; although, he was employed by another company, which was owned by the same individual who owns the subject company.

MOTION / VOTE:

The City Council, on motion of Council Member Hansen, Katzakian second, adopted Resolution No. 2007-195 awarding brokerage services to sell surplus City-owned real estate properties to Coldwell Banker Commercial, the Duncan Company, Inc., of Woodbridge, CA. The motion carried by the following vote:

Ayes: Council Members – Hansen, Hitchcock, Katzakian, and Mounce

Noes: Council Members – None

Absent: Council Members – None

Abstain: Council Members – Mayor Johnson

- E-9 "Adopt Resolution Approving Improvement Deferral Agreement for 975 South Fairmont Avenue"

Council Member Hitchcock pulled this item for further discussion.

In response to Council Member Hitchcock, Public Works Director Prima stated the Environmental Impact Report indicates traffic signal light requirements and peak hour traffic criteria have been met and staff has worked with Lodi Memorial Hospital staff regarding the same.

In response to Council Member Hitchcock, Mr. Prima confirmed there will be improvements on both the school and hospital sides for appearance purposes and it will take two years or more to complete the improvements.

In response to Mayor Johnson and Mayor Pro Tempore Mounce, Mr. King stated the item can be placed on the agenda for consideration by the 2 x 2 Committee.

MOTION / VOTE:

The City Council, on motion of Council Member Hitchcock, Mounce second, unanimously adopted Resolution No. 2007-196 approving the Improvement Deferral Agreement for 975 South Fairmont Avenue and authorizing the City Manager and City Clerk to execute the agreement on behalf of the City.

- E-10 "Status of San Joaquin County Consideration of an Armstrong Road Agricultural/Cluster Zoning Classification"

Council Member Hitchcock pulled this item for a presentation.

Community Development Director Hatch provided an overview of the status of the agricultural and cluster zoning classification as stated in the Council Communication and stated the item is to be considered at a future Board of Supervisors meeting, which has not occurred yet. Mr. King stated there may be some support for the designation area of AL-5 and staff will be verifying that theory as quickly as it can for the record.

MOTION / VOTE:

The City Council, on motion of Council Member Hitchcock, Mounce second, unanimously received the status report of San Joaquin County consideration of an Armstrong Road Agricultural/Cluster Zoning Classification.

F. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- Georgia Potts spoke of her concerns regarding the clean-up of graffiti along the brick wall on Lower Sacramento and Turner Road. Community Improvement Manager Wood stated staff is continuing to work on this site and others with respect to removing the remaining graffiti shadow after the initial clean-up.

G. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

- Council Member Hansen reported on the status of the efforts regarding Highway 12, the town hall meeting scheduled at Hutchins Street Square for October 9, 2007, at 7:00 p.m., attendance at the annual Northern California Power Agency conference, AB 32 legislation regarding greenhouse gases, and the Modesto Irrigation District subscription to the new Lodi Plant.
- Mayor Pro Tempore Mounce commended the Youth Commission and clarified that the Fall Formal bids will be available at Carnegie Forum on October 14, 2007. She also commended former Council Member Pinkerton for his dedicated service to the City.
- Council Member Hitchcock reported on her attendance at the San Joaquin Council of Governments and the Local Agency Formation Commission meetings and briefly discussed the expansion of freeways for traffic increases and moving forward with specifics regarding community separators.
- Mayor Johnson commended former Council Member Pinkerton for his dedicated service to the City and also commended Delta College on its successful event and outreach efforts in connection with the new proposed campus.

H. COMMENTS BY THE CITY MANAGER ON NON-AGENDA ITEMS

- City Manager King stated staff is working on replacing a transmission line to the White Slough facility as quickly as possible. He stated notification regarding the same was provided to the property owners in the vicinity.

I. PUBLIC HEARINGS

- I-1 Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Johnson called for the public hearing to consider Lodi Memorial Hospital regarding issuance of tax-exempt obligations and approval of the California Statewide Community Development Authority's issuance of indebtedness to construct a new Lodi Memorial Hospital project.

City Manager King briefly introduced the subject matter, stating the City has no financial obligation in the matter and the public hearing is a procedural requirement for the hospital to obtain non-taxable conduit financing. Deputy City Manager Krueger confirmed the same and added that the financing is through the California Communities Joint Powers Authority (JPA).

Michael LaPierre, representing the California Statewide Communities Development Authority, provided an overview of the JPA and specifically discussed the administrative process associated with the public hearing, requirements under the Internal Revenue Code, and debt obligations of the JPA.

In response to Mayor Johnson, Mr. Krueger stated the public hearing and hospital financing have no affect on the City's bond rating.

Discussion ensued between Mayor Johnson, Council Member Hansen, and City Manager King regarding the hospital's ability to obtain non-taxable financing without the City's participation, the ability of employees to use Lodi Memorial Hospital instead of Stockton hospitals, the status of the insurance dispute with Blue Cross, and the similar issue with the school district.

Roy Kreutner, Chief Financial Officer for Lodi Memorial Hospital, stated the school district has gone with Pacificare effective October 1, 2007, and the hospital was unable to reach an agreement with Blue Cross.

Council Member Hitchcock stated the employee issue does not apply to the matter before the Council. She also stated the non-taxable financing is good for the hospital and community. Mr. King stated he discussed with Mr. Harrington the possibility of a local PPO for the employees through the hospital directly.

Hearing Opened to the Public

None.

Public Portion of Hearing Closed

MOTION / VOTE:

The City Council, on motion of Council Member Hitchcock, Mounce second, unanimously adopted Resolution No. 2007-197 approving the issuance of the California Statewide Communities Development Authority insured revenue bonds (Lodi Memorial Hospital) in one or more series in an aggregate principal amount not to exceed \$150,000,000 for the purpose of financing and refinancing the acquisition, construction, equipping, and improvement of certain health care facilities owned and operated by Lodi Memorial Hospital Association, Inc. and other matters relating thereto.

J. COMMUNICATIONS

J-1 Claims Filed Against the City of Lodi – None

J-2 The following postings/appointments were made:

a) The City Council, on motion of Council Member Hansen, Mounce second, unanimously made the following appointment:

Lodi Improvement Committee

Magda Simpson Term to expire March 1, 2008

J-3 Miscellaneous – None

RECESS

At 8:17 p.m., Mayor Johnson called for a recess, and the City Council meeting reconvened at 8:27 p.m.

K. REGULAR CALENDAR

K-1 "Authorize the City Manager to Enter into Negotiations with PAM Companies to Develop an Affordable Housing Project"

City Manager King briefly introduced the subject matter.

Community Improvement Manager Wood provided a PowerPoint presentation regarding the Railroad Avenue affordable housing project. Mr. Wood specifically discussed the history of the site and the project, response to request for proposals, review of proposals, process of site visits, Committee review and discussions, resubmitted proposals, Committee recommendations, and the process of selecting a developer.

In response to Mayor Pro Tempore Mounce, Fire Chief Pretz stated the Fire Department will require proper access as part of the development of the proposed project.

In response to Mayor Pro Tempore Mounce, Public Works Director Prima stated they are required to maintain the walkthrough for the crosswalk near the Calaveras school crossing, but they are not required to keep right-of-way access unless the grant deed specifies otherwise.

In response to Mayor Pro Tempore Mounce, Mr. Wood stated staff will provide the crime statistic information of the surrounding area available to the Council.

In response to Mayor Pro Tempore Mounce, Community Development Director Hatch stated there will be a Phase 2 environmental study and remediation will be considered if contamination is found.

In response to Council Member Hitchcock, Community Development Director Hatch stated the rent chart does not include Section 8 application, under which (regardless of income) the maximum rent would be 30% of the income with the balance picked up by the Department of Housing and Urban Development subsidies.

In response to Council Member Hitchcock, Mr. Hatch stated the developer is looking for capital costs to build the project and on the operations side will be charging individuals and/or obtaining assistance from federal government subsidies.

In response to Council Member Hitchcock, Ed Sido, Executive Officer of the San Joaquin County Housing Authority, stated qualification is for the lifetime of an individual so long as needed and the program itself will likely be funded by the federal government for some time to come.

Mr. Wood provided an overview of the Lodi Police Department reported crimes in the area between Washington Street, Lodi Avenue, Highway 99, and Lockeford Street.

In response to Council Member Hitchcock, Mr. Hatch stated he is not sure why Visionary Home Builders did not look at Section 8 housing possibilities and work with the Housing Authority regarding the same.

PUBLIC COMMENTS:

- Catherine Brown spoke of her concerns regarding the value of the property on Railroad Avenue. Mr. Wood stated the initial appraisal for land value was \$1.5 million and may be worth more now since the land will be identified as residential. Mr. Hatch stated the City subsidies are maxed out at \$1.2 million.
- Warren Potts spoke of his concerns regarding the location of the proposed project and the proximity of services within a walking area and bus transportation.
- Virginia Snyder spoke in favor of the proposed project, stating it will trigger overall improvements in the area and expressed her concern regarding a walkway going through the project.
- Mike Boettger of PAM Companies specifically discussed fire access with knock-down gates, tax credit application for infill properties, proximity from a bus stop and park, market on Cherokee Lane, Smart and Final store, LOEL Center, pharmacy, points to compete in the tax credit arena, exclusive feasibility study agreement, entitlement application, and the need for a \$150,000 deposit.

In response to Council Member Hitchcock, Mr. Hatch stated the next phase of the project will include application for entitlement, tax credits, and Section 8.

In response to Council Member Hansen, Mr. King stated the authorization is to enter into negotiations and final approval would be brought back to the Council. Mr. King also discussed the exclusive negotiation process and conditions, site designs, the reasonableness of the ten percent deposit amount in the industry, and obtaining site control prior to requiring the deposit.

City Attorney Schwabauer stated the Council can proceed with entering into the agreement with certain modifications, including the specific deposit amount and performance information, to be determined at a later date by the City Manager, and then brought back to Council.

In response to Mayor Johnson, Mr. Hatch stated with Phase 1 and 2 the City is up to approximately \$20,000 with staff time and design.

In response to Mayor Pro Tempore Mounce, Mr. Hatch stated the building on Rush Street can be raised when permits are taken out and, with a suggested 18-month negotiation period, the project should be built over 2 ½ years.

Mayor Pro Tempore Mounce stated she cannot support the recommendation because she does not believe it is the right location.

MOTION/ VOTE:

The City Council, on motion of Council Member Hansen, Hitchcock second, adopted Resolution No. 2007-198 authorizing the City Manager to execute an exclusive feasibility study period agreement with PAM Development, Inc. for Railroad Avenue senior housing project with the addendums as provided by the City Attorney. The motion carried by the following vote:

Ayes: Council Members – Hansen, Hitchcock, Katzakian, and Mayor Johnson

Noes: Council Members – Mounce

Absent: Council Members – None

RECESS

At 9:54 p.m., Mayor Johnson called for a recess, and the City Council meeting reconvened at 9:59 p.m.

K-2 “Update from the Grape Bowl Ad Hoc Committee and Save the Grape Bowl Committee”

City Manager King and Interim Parks and Recreation Director Dutra briefly introduced the subject matter.

Committee Member Jack Fiori provided a presentation on the efforts of the Save the Grape Bowl Committee and specifically discussed the history of the committee, fundraising efforts, 501(c)(3) status, the Sacramento Foundation umbrella, fundraising total to date of \$108,000, involvement of the Board of Supervisors, possibility of an extension of time, the economy, and naming options associated with a large donation.

In response to Mayor Pro Tempore Mounce, Mr. Fiori stated the Committee is working with Lodi-Tokay students and the public at large.

Council Member Hansen suggested the Committee look at holding an event similar to the Hutchins Street Square Field and Fair Day. Mr. Fiori stated the Committee is looking at a variety of fundraising options and will speak with Ken Vogel next week regarding an extension. City Manager King stated he believes the Board will be amicable to the idea of an extension and will follow-up.

Richard Dean provided a presentation regarding the Ad Hoc Committee efforts and status. Specific topics of discussion included the make-up of the Committee members and staff, design concept, the Stockton street entrance, the approximate cost of \$6 million to \$8 million, Americans with Disabilities Act compliance, utilization of the facility, various funding options, Committee recommendations, extension for agreements, Community Development Block Grant funding, redevelopment application, partnership with the school district, mitigation fees, and the need for the Committee to continue.

In response to the discussion about mitigation fees and/or developer fees, City Manager King provided an overview of the types of development fees, including development impact fees for additions, park land fees for expansion, and land mitigation fees identified in environmental documentation and development agreements.

A brief discussion ensued between Mayor Johnson, Mayor Pro Tempore Mounce, and Council Member Hitchcock regarding funding and utilizing the Grape Bowl so as to provide ongoing maintenance and operation costs for the same.

MOTION / VOTE:

There was no Council action taken on this matter.

- K-3 "Confirm Previously Approved Report, Adopt a Resolution to Continue the Assessment and Programs of the Lodi Tourism Business Improvement District (LTBID), and Set a Public Hearing for October 17, 2007"

City Manager King provided a brief overview of the process associated with submitting an annual report, levying the assessment, and conducting a public hearing.

MOTION / VOTE:

The City Council, on motion of Mayor Pro Tempore Mounce, Katzakian second, unanimously confirmed the previously approved report, adopted Resolution No. 2007-199 to continue the assessment and programs of the Lodi Tourism Business Improvement District, and set a public hearing for October 17, 2007.

- K-4 "Designation of a Member of the City Council to Participate in the Rating Agency Presentation for the Wastewater System Financing"

City Manager King provided a brief overview of the proposed presentation to the rating agencies scheduled for October 12, 2007, and requested a Council Member be appointed to participate in the same.

In response to Mayor Johnson, Mr. Krueger stated the representatives from Standard & Poor's are not the same, but the representatives from Fitch may be.

MOTION / VOTE:

The City Council, on motion of Mayor Pro Tempore Mounce, Hansen second, unanimously designated Mayor Johnson to participate in the rating agency (Fitch Ratings and Standard & Poor's) presentation on October 12 in San Francisco for the wastewater system financing.

- K-5 "Approve Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$90,187.15)"

MOTION / VOTE:

The City Council, on motion of Mayor Johnson, Mounce second, unanimously approved the expenses incurred by outside counsel/consultants relative to the Environmental Abatement Program litigation and various other cases being handled by outside counsel in the amount of \$90,187.15, as detailed below:

Folger Levin & Kahn - Invoices Distribution

Matter No.	Invoice No.	Date	Description	Water Acct. Amount
8003	103985	08/31/07	Hartford Insurance Coverage Litigation	\$200,128.01
			Contingency Fee Amount Savings	-144,036.00
8008	103986	08/31/07	City of Lodi v. Envision Law Group	\$ 10,003.60
	15043	06-07/1/07	PES Environmental, Inc. (Keith Obrien)	\$ 8,268.44
	15326	07/30/07 - 09/02/07	PES Environmental, Inc. (Keith Obrien)	\$ 8,983.25
		08/04/07 - 09/14/07	George Tchobanoglous, Ph.D.	\$ 4,304.10
	170907a	08/31/07 - 09/14/07	Dr. Jim A. Field	\$ 1,125.00
Total				\$ 88,776.40

MISCELLANEOUS

Invoice No.	Date	Description	Water Acct. Amount
	08/08/07	Patrick Hassey Deposition Expenses	\$ 18.00
3044	8/7/2007	Benchmark Video	\$ 1,392.75
Total			\$ 1,410.75

L. ORDINANCES

L-1 Following reading of the title of Ordinance No. 1802 entitled, "An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal Code Title 13 – Public Services – Adding Section 13.20.185, 'Section CSS – California Solar Initiative Surcharge,'" having been introduced at a regular meeting of the Lodi City Council held September 19, 2007, the City Council, on motion of Mayor Johnson, Hansen second, waived reading of the ordinance in full and adopted and ordered it to print by the following vote:

Ayes: Council Members – Hansen, Hitchcock, Katzakian, and Mayor Johnson
 Noes: Council Members – Mounce
 Absent: Council Members – None
 Abstain: Council Members – None

L-2 Following reading of the title of Ordinance No. 1803 entitled, "An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal Code Title 13 – Public Services – Chapter 13.12, 'Sewer Service,' by Repealing and Reenacting Section 13.12.150 Relating to Connections Outside City," having been introduced at a regular meeting of the Lodi City Council held September 19, 2007, the City Council, on motion of Mayor Pro Tempore Mounce, Katzakian second, waived reading of the ordinance in full and adopted and ordered it to print by the following vote:

Ayes: Council Members – Hansen, Katzakian, Mounce, and Mayor Johnson
 Noes: Council Members – Hitchcock
 Absent: Council Members – None
 Abstain: Council Members – None

M. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 10:59 p.m.

ATTEST:

Randi Johl
 City Clerk

**CITY OF LODI
INFORMAL INFORMATIONAL MEETING
"SHIRTSLEEVE" SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, OCTOBER 9, 2007**

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, October 9, 2007, commencing at 7:00 a.m.

A. ROLL CALL

Present: Council Members – Hansen, Hitchcock, Katzakian, Mounce, and Mayor Johnson

Absent: Council Members – None

Also Present: Deputy City Manager Krueger, City Attorney Schwabauer, and City Clerk Johl

B. TOPIC(S)

B-1 "Presentation by the Lodi Chamber of Commerce Regarding General Plan White Paper Reports and Land Use Map"

Deputy City Manager Krueger briefly introduced the subject matter.

Chamber of Commerce President Pat Patrick provided a PowerPoint presentation regarding the General Plan White Paper Reports and Land Use Map. Specific topics of discussion included an overview, report criteria and identification, topic areas for reports, important recurring themes, and goals.

In response to Mayor Johnson, Pat Stockar stated the AL-5 designation was originally used to recognize some parcels that might have agricultural opportunity and give small farming areas a chance to flourish with possible homesteads. He stated the County has limitations on AL-5 zoning and agricultural manufacturing is not considered viable for AL-5 designation.

In response to Council Member Hansen, Pat Stockar stated that Lodi needs to sustain land but not necessarily control it. He stated a partnership is necessary with surrounding agencies, Stockton has made the City focus on its southern boundaries, farmers in the area will likely continue to farm, and a sphere of influence implies service delivery at a later date, which may not be the intent.

Discussion ensued between Council Member Hansen and Pat Stockar regarding the timing of the County's general plan, efforts regarding a community separator, costs of zoning over \$300,000, and a cooperative effort between the County, City, and landowners.

In response to Council Member Hitchcock, Pat Stockar stated it will be difficult to provide services to piecemealed pockets of land versus larger pieces of land. He stated the southern boundary will likely not move for a while because Stockton has plenty of land in reserve. Ms. Hitchcock stated that assuring there will not be additional annexations of the subject area will make Lodi more comfortable and be consistent with Local Agency Formation Commission policy. Mr. Stockar stated eventually there will be contracts with the farming community who will keep the zoning intact.

In response to Mayor Pro Tempore Mounce, Mike Carouba stated no one had contacted the cemetery and that is a good idea.

In response to Mayor Johnson, Mike Carouba stated he is not completely sure as to how to preclude distribution centers, but one suggestion might be to have more than the M-1 and M-2 zoning, which is very broad.

Mayor Pro Tempore Mounce suggested the owner of the property located on the corner of Harney Lane and 99, who is also interested in selling the property, be included as a stakeholder in the process.

In response to Mayor Pro Tempore Mounce, Pat Patrick stated that any incentive the City can provide with respect to the enterprise zone would be helpful. Discussion ensued between Mayor Johnson, Mayor Pro Tempore Mounce, and Pat Patrick regarding efforts by the San Joaquin Partnership and the process associated with getting points for enterprise zone designation.

Mayor Pro Tempore Mounce commended the Committee for its suggestion regarding an incentive program for police officers.

In response to Council Member Hansen, Pat Patrick stated there is a need in the community for an employment center if there is sufficient land and infrastructure available. Dale Gillespie stated there is a lot of competition for manufacturing and employment center types of jobs, the goal will be to capture the highest quality of employment, and an analysis of development costs will be necessary.

In response to Council Member Hansen, Pat Patrick stated it is important to have the economic development position because there is a need to have a good person on the inside to facilitate the permitting process and to help build the plan to attract the businesses.

In response to Mayor Johnson, Dale Gillespie stated there was no discussion regarding the north side of the river other than there is some need for Lodi to have an interest in the area so that it can be a party to relevant discussions from a preservation standpoint. Pat Stockar stated it is a unique recreational area for preservation.

In response to Council Member Hansen, Pat Patrick stated the theater is a good attraction but there is a need for a few more pieces, such as art galleries and possibly a skating rink, to attract people to the downtown area.

In response to Council Member Hansen, John Whetmore stated wine tasting is slow, the Cellar Door is starting to come around, and a nearby hotel and boutique is a great idea.

In response to Pat Patrick, Community Development Director Hatch stated they are currently working on opportunities for residential units and/or lofts in the downtown area.

C. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- Pat Patrick commended Mayor Johnson for his participation at the Street Faire.

D. ADJOURNMENT

No action was taken by the City Council. The meeting was adjourned at 8:20 a.m.

ATTEST:

Randi Johl
City Clerk